THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.21154 of 2005

Between:

K.Radha Krishna and others.

.. **PETITIONER**

AND

The Government of Andhra Pradesh and others. .. **RESPONDENTS**

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

ORDER:

The petitioners are working in various capacities in the District Co-operative Central Bank, East Godavari District at Kakinada-the third respondent herein. Promotions to the post of Managers in the 3rd respondent were effected in accordance with the conditions stipulated by the Registrar of Co-operative Societies-2nd respondent in his Circular dated 15-03-1979. Among other things, the Circular has prescribed the age limit as 42 years for in-service candidates. The petitioners claim to have made representations to 2nd and 3rd respondents for relaxation of the said conditions so as to enable them to be considered for promotion. Their grievance is that no action has been taken thereon. Petitioners point out that the 2nd respondent relaxed such conditions in respect of several employees and place reliance upon Memo dated 31-12-1998, and seek appropriate directions in this regard.

Heard the learned counsel for the petitioner, the learned Government Pleader for Co-operation and the learned Standing Counsel for the 2nd and 3rd respondents.

As of now, the petitioners are not qualified to be considered for promotion to the post of Manager in the third respondent-bank. Petitioners 1 to 8 have crossed the age limit of 42 years prescribed by the 2nd respondent. All the petitioners herein have submitted representation dated 01-08-2005 to the 3rd respondent for consideration of their cases, if necessary, by relaxing conditions stipulated in the Circular dated 15-03-1979. Reliance was placed on the orders, passed in favour of similar in-service candidates.

The relaxation of age limit is always in the discretion of the authority, who is conferred with such power. The 2nd respondent framed the Rules way back in the year 1979. In exercise of powers of relaxation, the second respondent relaxed the age limit in case of one Sri M.Dharma Rao, I/c.Manager Mukkamala Branch and Kambala Satyanarayana, Staff Assistant, District Co-operative Central Bank, Kakinada- third respondent. The question as to whether the petitioners deserve such relaxation, needs to be considered. Their representation cannot be kept pending indefinitely.

Therefore, the 2nd and 3rd respondents are directed to consider the representation of the petitioners dated 01-08-2005, and pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No order as to costs.

_____

L.NARASIMHA REDDY, J

Dated: 02-11-2005

Prv